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19   **UNITED STATES DISTRICT COURT**
                NORTHERN DISTRICT OF CALIFORNIA
20   **SAN FRANCISCO DIVISION**

21 Waymo LLC,   Case No. 3:17-cv-00939-WHA

22   Plaintiff,   **DECLARATION OF HAYES P. HYDE IN**
                                            SUPPORT OF DEFENDANTS UBER AND
23   v.   **OTTOMOTTO'S ADMINISTRATIVE**
                                            MOTION TO FILE UNDER SEAL THEIR
24 Uber Technologies, Inc.; Ottomotto LLC; Otto   **OPPOSITION TO WAYMO'S MOTION**
    Trucking LLC,   **FOR CONTINUANCE OF TRIAL DATE**
25   **[DKT. 1623]**
           Defendants.
26   Courtroom: 8
                                            Judge: Hon. William Alsup
27   Trial: October 10, 2017

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    ACTIVE/92695109.1

    HYDE DECLARATION ISO WAYMO'S ADMINISTRATIVE
    MOTION TO FILE UNDER SEAL   CASE NO. 3:17-CV-00939-WHA

1   I, Hayes P. Hyde, declare as follows:

2   1.   I am an attorney at the law firm of Goodwin Procter, LLP. I make this declaration

3   based upon matters within my own personal knowledge and if called as a witness, I could and

4   would competently testify to the matters set forth herein. I make this declaration in support of

5   Defendants Uber and Ottomotto's Administrative Motion to File Under Seal Their Opposition to

6   Waymo's Motion for Continuance of Trial Date and Exhibits attached thereto [Dkt. 1623].

7   2.   I have reviewed the following documents and confirmed that only the portions

8   identified below merit sealing:

Document	Portions to Be Filed Under Seal
Exhibit 1 to the González declaration	Portions highlighted in blue
Exhibit 2 to the González declaration	Portions highlighted in blue at: - Page 4, paragraph 3(a) - Page 9, paragraph 3(a) - Page 14, paragraph 3(a) - Page 18, paragraph 3(a) - Page 22, paragraph 3(a)

20   3.   The highlighted and identified portions of the Exhibits 1 and 2 referenced above

21 include highly confidential, sensitive business information relating to the terms of Otto Trucking's

22 agreements and its corporate structure. This information is not publicly known, and its

23 confidentiality is strictly maintained. I understand that this information could be used by

24 competitors to Otto Trucking's detriment, including in the context of negotiating business deals. If

25 such information were made public, I understand Otto Trucking's competitive standing could be

26 significantly harmed.

27   4.   Defendant's request to seal is narrowly tailored to those portions of the Motion and

28 Exhibit 1 that merit sealing.

HYDE DECLARATION ISO WAYMO'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL   CASE NO. 3:17-CV-00939-WHA

1   I declare under penalty of perjury under the laws of the United States that the foregoing is

2 true and correct. Executed this 21st day of September, 2017 in San Francisco, California.

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                                               /s/ Hayes P. Hyde

4   Hayes P. Hyde

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HYDE DECLARATION ISO WAYMO'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL   CASE NO. 3:17-CV-00939-WHA

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<u>CERTIFICATE OF SERVICE</u>

2   I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the

3   United States District Court for the Northern District of California by using the CM/ECF system

4   on September 21, 2017. I further certify that all participants in the case are registered CM/ECF

5   users and that service will be accomplished by the CM/ECF system.

6   I certify under penalty of perjury that the foregoing is true and correct. Executed this 21st

7   day of September 2017.

<u>/s/ Hayes P. Hyde</u>
Hayes P. Hyde

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HYDE DECLARATION ISO WAYMO'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL   CASE NO. 3:17-CV-00939-WHA